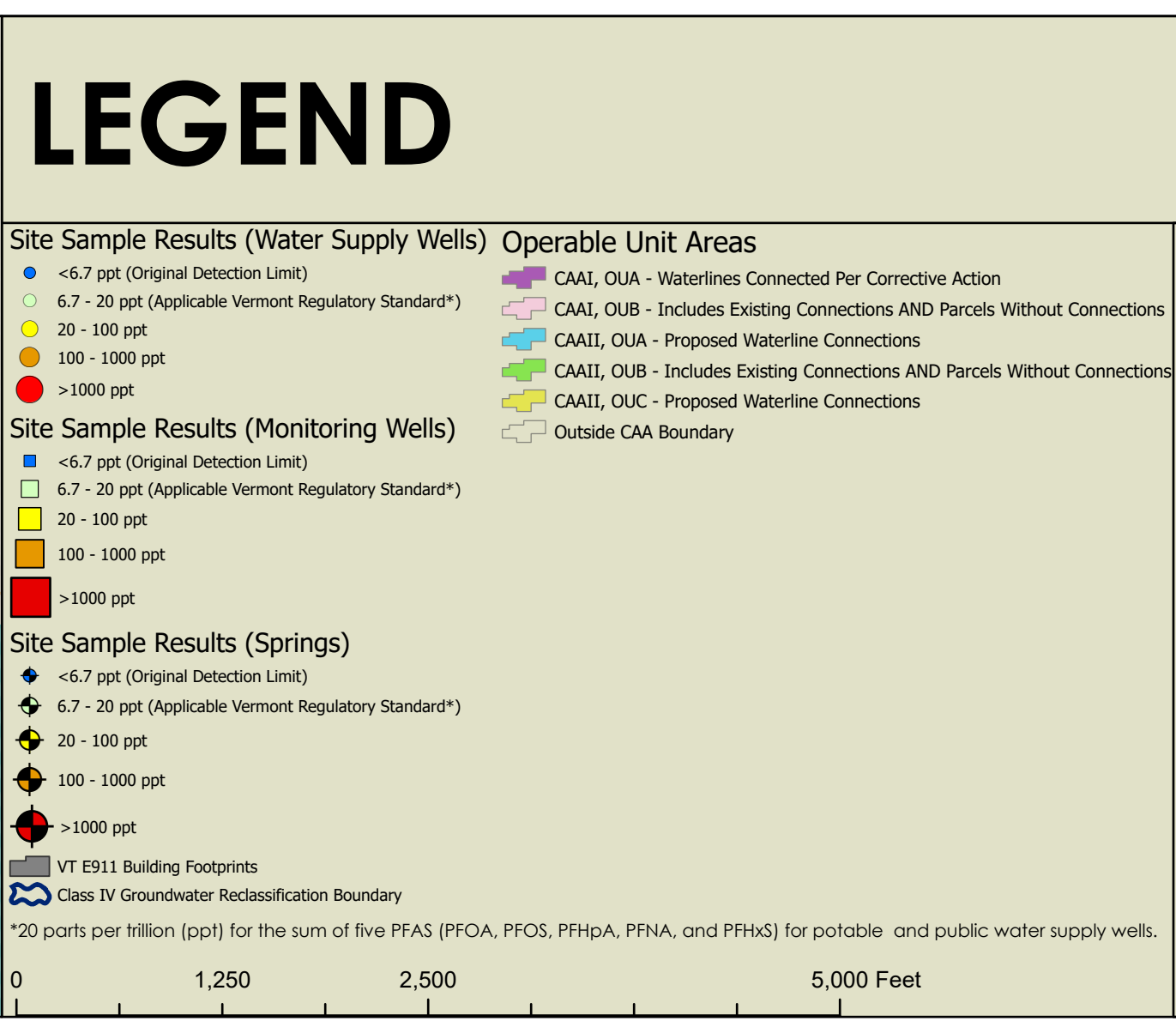
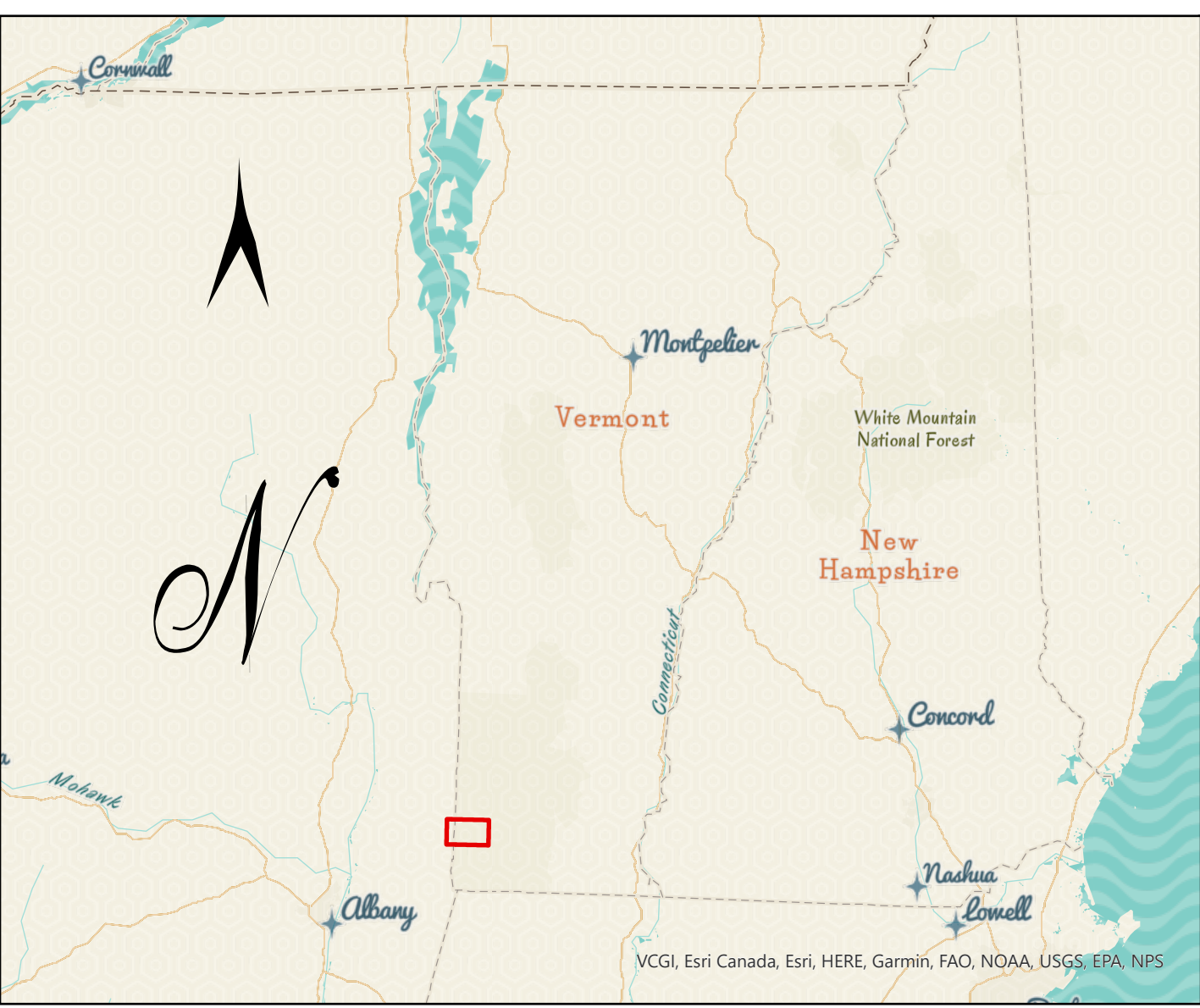


Final Class IV Groundwater Reclassification Area

Bennington/Shaftsbury



Map Author: Erik Engstrom (VTANRGIS)
Map Date: 12/1/2021

VERMONT
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Reclassification Order

The Secretary of the Agency of Natural Resources (ANR) hereby makes the Findings of Fact identified above and reclassifies the groundwater to Class IV for the area identified on the map in Attachment A, subject to the following conditions and clarifications:

- All existing water supplies that have not had an exceedance from testing above the applicable regulatory standards for per- and polyfluoroalkyl substances (PFAS) and continue to test below the applicable regulatory standards are considered a potable water supply with respect to PFAS, which means the Class IV designation does not apply to these water supplies. The applicable regulatory standards are the Maximum Contaminant Level (MCL) for public water supplies and the Vermont Groundwater Enforcement Standards (VGES) for all other potable water supplies.
- Water supplies that have or have had PFAS concentration above the applicable regulatory standards are considered a potable water supply with respect to PFAS, as defined in #1 above, once the following criteria are met:
 - Testing shows that PFAS levels have met the performance standard in Appendix A of the Consent Order for being eligible to remove a treatment system from a water supply. This performance standard is eight (8) consecutive rounds of quarterly sampling, showing an overall downward trend in PFOA, PFOS, PFHxS, PFHpA, and PFNA contaminant levels in the water supply or a flat trend if the contaminant level is below the applicable regulatory standards.
 - Continued testing shows PFAS levels below the applicable regulatory standards.
- The installation of a new permitted drinking water well (a potable or public drinking water well) may be allowed for a building or structure outside 200-feet of an existing waterline or within 200-feet if given a variance by ANR, provided the following are met:
 - The new well is constructed following the requirement specified in Attachment D, or an acceptable equivalence, as determined and approved by ANR;
 - Prior to use, the water must be tested for PFAS that are regulated under either the Vermont Groundwater Protection Rule and Strategy or the Vermont Water Supply Rule, as may be amended. At the time of this order, there are five regulated PFAS: PFOA, PFOS, PFHpA, PFNA, and PFHxS. The current standards are 20 ng/L for the combination of the five regulated compounds. The water samples must be sampled using a laboratory method that is accepted by ANR. At the time of the issuance of this order, EPA Method 537.1 was the exclusive Laboratory Method accepted by ANR for drinking water supplies. Results of the water test shall be submitted to the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division for review and approval prior to use of the water supply well;
 - The submittal of a long-term monitoring plan for PFAS testing to the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division for review and approval, or verification that this well is part of a long-term monitoring plan under an ongoing corrective action being performed by Saint-Gobain Performance Plastics pursuant to the requirements of the Consent Order and an approved corrective action plan by ANR. Monitoring will be required until there is sufficient data and information, as determined by ANR, that long-term monitoring is no longer warranted. Results from the ongoing monitoring must be provided by the permittee to the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division as specified in the conditions of any applicable permit, unless this well is being monitored as part of work performed by Saint-Gobain Performance Plastics under the requirements of the Consent Order and an approved action plan by ANR; and
 - If the PFAS concentrations in a water sample from a well are above the regulatory standards for the regulated PFAS, then a suitable point-of-entry system (POET), or other long-term remedy approved by ANR, must be installed. If a treatment system is not required as part of an approved corrective action plan overseen by ANR, then a design plan of the long-term remedy must be submitted for review and approval to the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division, along with an operation and maintenance plan for the proposed remedy.
- All newly permitted wells (potable and public) that meet the conditions outlined in #3 above, have PFAS levels below the applicable regulatory standards, and continue to test below the applicable regulatory standards, are also considered a potable water supply with respect to PFAS, as defined in #1 above.
- New overburden wells, springs, or shallow dug wells for drinking water wells are prohibited.
- The VT Department of Environmental Conservation, Waste Management and Prevention Division must be notified prior to any new well being installed for industrial, commercial, or geothermal use so they can assess the suitability of such well or use in light of the Class IV designation.
- The Agency of Agriculture, Food, and Markets must be notified prior to any new well being installed for agricultural use so they can assess the suitability of such well or use in light of the Class IV designation.
- Long-term monitoring within the Class IV is required by Saint-Gobain Performance Plastics, consistent with the approved corrective action plan, entitled, "Corrective Action Plan 2-Corrective Action Areas I and II - Operable Unit B North Bennington and Bennington", dated March 2020, prepared by Barr, or any subsequent updates to this plan approved by ANR. This long-term monitoring will provide groundwater data to assess whether adjustment (expansion, contraction, or reclassification back to a Class III) of the Class IV designation is warranted.